

NOTICE: IF YOU ARE IN THE MILITARY OF THE UNITED STATES OF AMERICA OR DEPENDENT UPON A PERSON IN THE MILITARY, NOTIFY THE COURT CLERK TO PROTECT YOUR RIGHTS.

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF QUEENS

=====X
3086 32ND STREET LLC

Index No. L&T _____

Petitioner (Landlord)

-against-

Notice of Nonpayment

Respondent (Tenant),

Petition

30-86 32ND STREET, APT # 12
ASTORIA, NY 11103

Address: Primary

Petitioner's Business Address

Respondent

35-01 30th Ave, Suite 300

(Undertenant),

Astoria, NY 11103

Address: Secondary

and

'Joan Doe' and 'Jane Doe'

Undertenant(s)

=====X
Your landlord is suing you for nonpayment of rent

1. Your landlord has started an eviction nonpayment case against you for rent the landlord

claims you owe. The landlord's reasons are given in the attached Petition.

2. Your landlord is asking this Court for:

- a money judgment for \$23,440.00 plus interest from June 1, 2019, and
- permission to evict you from your home if you do not pay the money judgment.

3. You have a right to a trial. But first you must Answer the Petition by going to the landlord-tenant Clerk's Office at: 89-17 Sutphin Blvd., Jamaica, NY 11435. You must do this within **10 days** after the date these papers were given to you or a person who lives or works in your home, or were posted at your home at:

Address or description of premises:

30-86 32ND STREET, APT # 12, ASTORIA, NY 11103

Warning! If you don't Answer the Petition within 10 days, a judgment may be entered against you. If that happens, the landlord will have the right to evict you.

4. Your Answer should say the legal reasons that you don't owe all or part of the rent. The legal reasons are called defenses. You can also say any claims you have against the landlord. You will have to prove your defenses and claims in court. To Answer the Petition you must either:
- Go to the landlord-tenant Clerk's Office and tell the Clerk your Answer, or
 - Give the landlord-tenant Clerk your Answer in writing (Form No. Civ-LT-91a).

Information to help you Answer the Petition (Form No. Civ-LT-92) is available at the landlord-tenant Clerk's Office or online at nycourts.gov/housingnyc.

Important! If you don't tell the Clerk about a defense in your Answer you might not be able to talk about it later in this case or any other case.

5. When you Answer the Petition, you will get a date to come back to Court 3 to 8 days later. You have a right to postpone that date for 14 days but you have to come to the courthouse to ask for a postponement. If you pay all the rent due before your court date, the case will be dismissed.
6. If your Name is not on this Notice but you live in the home listed above, you have a right to come to Court and Answer the Petition.

7. Available Resources:

- **Legal Help:** Under New York City law, you may be able to get a free lawyer to represent you in this case. Call 718-557-1379 or go to nycourts.gov/nyc-freelawyer for information about getting free legal help. If you have money to hire a lawyer, you can contact the New York City Bar Legal Referral Service at 212-626-7373.
- **Language Help:** If you don't speak English well or are deaf or hard of hearing, you have a right to a free interpreter. Tell the Court Clerk you need an interpreter or call

646-386-5750: Informations concernant les expulsions • বদখলের তথ্য • 驱离租屋相关信息

تأملوا عن أشيت لااد درطلا • Информация о выставлении • 迫遷相關資訊

• Enfoques de consenso • Información sobre desastres

646-386-5670. To read a translation of this Notice in another language visit:

nycourts.gov/housingnyc. For information on evictions:

- **ADA Help:** If you need a special accommodation to use the court because of a disability, call 646-386-5300 or 711 (TTY) or tell a Court Clerk..
- **Financial Help:** If you owe the rent and don't have the money, contact HRA's Infoline at 718-557-1399 for more information about getting help to pay the rent.
- **Help at the Courthouse:** There is a Help Center in the courthouse where you can speak to a Court Attorney or a Volunteer Lawyer.
- **Online Help:** Visit the Housing Court's website at: nycourts.gov/nychousing (also available in Spanish and Chinese) or visit LawHelpNY at lawhelpny.org.

Postponements and Rent Deposits. In court, you can ask to postpone your case. You have a right to postpone the case for at least 14 days. If your case is not finished in 60 days or you ask to postpone the case again, the court can order you to deposit money in court or make a rent payment to the landlord. If you don't do this, your case may go to trial right away. RPAPL Sec. 745.

After Judgment. If the court orders a judgment against you after a trial, the court may give you time to pay the judgment and not be evicted. After that time is up, you will get a Notice of Eviction from a Marshal giving you at least 14 days to pay all the rent due or move. If you don't pay or move, you will be evicted by the Marshal. RPAPL Sec. 749(2).

City of New York, County of QUEENS

Dated: March 03, 2023

Clerk of the Civil Court of the City of New York: Alia Razzaq - Chief Clerk

Petitioner or Attorney for the Petitioner: 3086 32ND STREET LLC
Vincent Acquista, General Counsel & Authorized
Signatory

Address: 35-01 30th Ave, Suite 300
Astoria, NY 11103
Telephone No. 718-204-1600 x18

**INFORMATION ON ANSWERING A NOTICE OF PETITION AND PEITION
(EVICTION/DISPOSSESS PAPERS FOR NON-PAYMENT OF RENT)**

If you are in court for a 'Non-Payment' case, because the Landlord claims you owe rent, you have the right to tell the Court the reason(s) why the rent may not be owed. Below are some reasons, called defense, which the Court can consider in deciding how much rent you may owe to your Landlord. Tell the Clerk any reason(s) which you believe you are able to prove to the Judge. You may go to the Help Center if you need more information to help you answer in your case.

SERVICE

1. I did not receive a copy of the Petition and Notice of Petition (Eviction papers/Dispossess).
2. I did not receive the court papers correctly as required by law. *(See a Housing Court Counselor (Pro-Se Attorney) or seek legal advice if you think you did not receive the eviction papers properly.)*

PARTIES

3. My Name is not correct, is wrong or is missing from the court papers. The tenant is dead.
4. The Petitioner is not the Landlord or Owner of the building or otherwise a proper party.

RENT

5. I was not asked, either orally or in writing, to pay the rent before the Landlord started this case.
6. I tried to pay the rent, but the Landlord refused to accept it.
7. The monthly rent being requested is not the legal rent or the amount on the current lease.
8. The Landlord owes money to me because of a rent overcharge. I paid for repairs or services.
9. The rent, or a portion of the rent, has already been paid to the Landlord

APARTMENT

10. There are conditions in the apartment/building/house which need to be repaired and/or services which the Landlord has not provided.
11. The petition does not describe the apartment/house correctly: wrong apartment/house number; wrong or missing program(s) and/or laws covering my tenancy.
12. The apartment/house is an illegal apartment.

OTHER

13. Laches: the petition comes as a surprise, the landlord knew for a long time that I owed the rent and waited too long to bring me to court. This delay has caused me harm.
 14. I am not certain the petition is correct.
 15. NEW YORK CITY ONLY the Petitioner has harassed me.
-
16. I am in the military / dependent on someone in the military.

17. The petition seeks the HUD OR Housing Authority Section 8 part of the rent. The petitioner did not notify HUD OR Housing Authority about this case.

Other. _____

18. I seek a judgment and/or order based upon the above defense(s).

19. Other counterclaim(s): *(Please tell the Clerk any other reason(s) why you believe you do not owe your Landlord some or all of the rent or tell the clerk if you wish to file a counter claim).*

CIV-LT-92 (Revised, August, 2014)

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF QUEENS

=====X
3086 32ND STREET LLC, Limited Liability Company

Petitioner - Landlord, Index L&T # _____/20____

-against-

**NON-PAYMENT
DWELLING PETITION**

30-86 32ND STREET, APT # 12
ASTORIA, NY 11103

Respondent - Tenant.

Respondent - Undertenant(s)

and

'John Doe' and 'Jane Doe'

Undertenant(s)
=====X

THE PETITION OF 3086 32ND STREET LLC, Limited Liability Company ('Petitioner'),
shows that:

1. Petitioner is the landlord and owner of the premises described below.
2. Respondent(s), _____, ('Respondents'), are the tenant(s) of the premises
who entered into possession pursuant to a written rental agreement made with Petitioner, as
Landlord.
3. Respondent 'John Doe' and 'Jane Doe' is the undertenant of the aforesaid Respondent
Tenant(s).
4. Respondents promised to pay the Petitioner as rent **\$2,295.00** each month in advance on the
1st day of each month plus additional rent, pursuant to the lease.

5. Respondents are in possession of the premises.
6. The premises from which removal is sought was rented for dwelling purposes and are described as follows: All rooms, Apartment APT # 12 in the building located at 36-86 32ND STREET, ASTORIA, NY 11103, Borough of QUEENS, situated within the territorial jurisdiction of the Civil Court of the City of New York, County of New York.
7. Pursuant to the agreement there is due to Petitioner from Respondents the sum of \$73,440.00 in rent arrears as follows:

Date	Description	Amount
6/2019- \$2295.00	7/2019- \$2295.00	8/2019- \$2295.00
10/2019- \$2295.00	11/2019- \$2295.00	12/2019- \$2295.00
1/2020- \$2295.00	2/2020- \$2295.00	3/2020- \$2295.00
5/2020- \$2295.00	6/2020- \$2295.00	7/2020- \$2295.00
9/2020- \$2295.00		8/2020- \$2295.00
12/2020- \$2295.00		
1/2022- \$2295.00	2/2022- \$2295.00	3/2022- \$2295.00
5/2022- \$2295.00	6/2022- \$2295.00	7/2022- \$2295.00
9/2022- \$2295.00	10/2022- \$2295.00	11/2022- \$2295.00
1/2023- \$2295.00	2/2023- \$2295.00	3/2023- \$2295.00
		4/2022- \$2295.00
		8/2022- \$2295.00
		12/2022- \$2295.00

8. Written Notice of Non-Payment of rent stating that Petitioner did not receive the rent was sent to Respondent by certified mail no sooner than 5 days after the rent due date pursuant to RPL 235 – e (d) and a copy is annexed hereto.
9. Rent and additional rent due have been demanded by a fourteen-day written rent demand from Respondents and a copy is annexed hereto with proof of service.
10. The Premises have been deregulated by the Rent Regulation Act of 1993 and are no longer subject to either statutory rent control and/or the Rent Stabilization Code.
11. Petitioner lacks written information or notice of any address where the respondents reside in New York State, other than the address of the property sought to be recovered.
12. The premises are a multiple dwelling, and pursuant to the Housing Maintenance Code, Article 41, there is a currently effective registration statement on file with the Office of Code Enforcement in which the owner has designated the managing Agent Named below, a natural person over the age of 21 years, to be in control of and responsible for the maintenance and operation of the dwelling. MDR Number: **406593**; Registered Managing Agent: **Michael Pistilli**; Business Address: .
13. Upon information and belief, Petitioner is entitled to recover from Respondents the Attorney's fees incurred by Petitioner.

WHEREFORE, Petitioner requests a final judgment awarding possession of the premises to Petitioner, the issuance of a warrant to remove Respondents from possession, a judgment for rent in arrears against Respondent for \$73,440.00 with interest from: June 2019; upon information and belief, Attorney's fees in an amount to be determined at trial; and costs and disbursements of this proceeding.

State of New York, County of QUEENS

THE UNDERSIGNED affirms under penalties of perjury that he is the general counsel for:

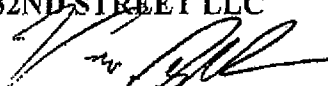
3086 32ND STREET LLC

the Petitioner; that he has read the foregoing petition and knows the contents thereof; that the same are true to his own knowledge except as to matters stated to be upon information and belief; and as to those matters he believes them to be true. The basis for deponent's information and belief is the books and records of the Petitioner.

Dated: March 03, 2023
Astoria, NY

3086 32ND STREET LLC

X



Petitioner

By: Vincent Acquista
General Counsel & Authorized Signatory
35-01 30th Avenue, Suite 300
Astoria, NY 11103
Ph. 718-204-1600 x18

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF QUEENS

-----X
3086 32ND STREET LLC

Plaintiff/Petitioner,

- against -

Index No.

Defendant/Responder:
-----X

NOTICE OF ELECTRONIC FILING
(Consensual Case)
(Uniform Rule § 208.4-a)

You have received this Notice because:

- The Plaintiff/Petitioner, whose name is listed above, has filed this case using the New York State Courts e-filing system, and
- You are a Defendant/Respondent (a party) in this case.

If you are represented by an attorney: give this Notice to your attorney (Attorneys: see "Information for Attorneys" pg. 2).

If you are not represented by an attorney: you are not required to e-file. You may serve and file documents in paper form and you must be served with documents in paper form. However, as a party without an attorney, you may participate in e-filing.

Benefits of E-Filing

You can:

- serve and file your documents electronically
- view your case file on-line
- limit your number of trips to the courthouse
- pay any court fees on-line.

There are no additional fees to file, view, or print your case records.

To sign up for e-filing or for more information about how e-filing works you may:

- visit: www.nycourts.gov/efile-unrepresented or
- go to the Help Center or Clerk's Office at the court where the case was filed. To find legal information to help you represent yourself visit www.nycourthelp.gov

Information for Attorneys

An attorney representing a party who is served with this notice must either consent or decline consent to electronic filing and service through NYSCEF for this case.

Attorneys registered with NYSCEF may record their consent electronically in the manner provided at the NYSCEF site. Attorneys not registered with NYSCEF but intending to participate in e-filing must first create a NYSCEF account and obtain a user ID and password prior to recording their consent by going to www.nycourts.gov/efile.

Attorneys declining to consent must file with the court and serve on all parties of record a declaration of consent.

For additional information about electronic filing and to create a NYSCEF account, visit the NYSCEF website at www.nycourts.gov/efile or contact the NYSCEF Resource Center (phone: 646-386-3033; e-mail: nyscef@nycourts.gov).

Dated: March 3, 2023

Vincent Acquista
Name

35-01 30th Avenue, Suite 300
Address

Pistilli Realty Group
Firm Name

Astoria, NY 11103

(718) 204-1600
Phone

vincent@pistilli.com
E-Mail

To: _____

30-86 32ND STREET, APT. 12

ASTORIA, NY 11103

7/19/19

14 DAY DEMAND FOR RENT

February 6, 2023

To: _____ 71,145.00
 _____ The sum of-La suma de \$-
 30-86 32nd Street, Apt. 12 June 1,
 _____ for rent from-para renta de _____2019
 Astoria, NY 11103 February 28,
 _____ to a _____2023

Tenant of the above premises:

You currently owe the sum of \$71,145.00 in unpaid rent through February, 2023, calculated as shown below. You are required to pay on or before February 24, 2023, which is at least fourteen (14) days from the day of the service of this notice upon you, or surrender possession of said premises to the Landlord, in default of which Landlord will commence summary proceedings under the Statute to recover possession thereof.

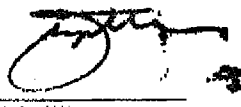
6/2019- \$2295.00	7/2019- \$2295.00	8/2019- \$2295.00	9/2019- \$2295.00
10/2019- \$2295.00	11/2019- \$2295.00	12/2019- \$2295.00	

1/2020- \$2295.00	2/2020- \$2295.00	3/2020- \$2295.00	4/2020- \$2295.00
5/2020- \$2295.00	6/2020- \$2295.00	7/2020- \$2295.00	8/2020- \$2295.00
9/2020- \$2295.00			

12/2021- \$2295.00			

1/2022- \$2295.00	2/2022- \$2295.00	3/2022- \$2295.00	4/2022- \$2295.00
5/2022- \$2295.00	6/2022- \$2295.00	7/2022- \$2295.00	8/2022- \$2295.00
9/2022- \$2295.00	10/2022- \$2295.00	11/2022- \$2295.00	12/2022- \$2295.00
1/2023- \$2295.00	2/2023- \$2295.00		

By: 3086 32nd Street LLC, Landlord
 35-01 30th Avenue, Suite 300
 Astoria, NY 11103
 718-204-1600

By: 
 Joseph Pistilli Agent

AFFIDAVIT OF SERVICE**L & T #**

DAVID SINGER, being duly sworn, deposes and says:

That deponent is not a party to this proceeding, is over 18 years of age, and resides in Nassau County, N.Y.

That on February 9, 2023 at 30-86 32ND STREET

ASTORIA, NY 11103

APT 12

at 9:58 AM deponent served the within:

RENT DEMAND

ON:

Respondent therein named, by delivering a true copy of each to said respondent personally, deponent knew the person served to be said respondent therein.

Deponent describes the individual as follows: **FEMALE**

skin color: **WHITE** height: **5'5"** weight: **145 LBS** age: **50** hair color: **BLOND**

Sworn to before me this
February 11, 2023



COLLEEN AHERN
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01AH5019609
QUALIFIED IN NASSAU COUNTY
COMMISSION EXPIRES OCTOBER 25, 2025



DAVID SINGER LIC. #2093504

January 25, 2023



**Non-Attorneys Representing Themselves (Unrepresented Litigants) /
Filing Agent / Pro Hac Vice
"NYSCEF" Account Registration Form
for Existing Cases**

Expedited Processing: An E-Filing account will normally be issued in 24-48 hours. If you are operating under time constraints, type "**Expedite**" in the field at the top of the page.

I, Shannon Lunney, am:
(print full name)

1. Choose option a, b, or c below:

- a. not an attorney and I am a party to the case set forth below.
- b. a member in good standing of the Bar in a jurisdiction outside the State of New York, and I have been admitted pro hac vice in the case set forth below and I have attached the order of admission to this application.

If you have selected option (a) or (b) above, you **MUST** enter the case information into the fields below.

Index/File/Claim Number: _____

Court:

Caption: _____
Plaintiff/Petitioner

- against -

Defendant/Respondent

-
- c. a person seeking to use NYSCEF as an authorized agent ("filing agent") for attorney(s) of record in a case or cases.
-

NOTE: Non-attorney applicants MUST have their signature on Page 3 notarized.*

2. I understand and agree that:

- a. The Primary E-Mail Address below is the address at which service of documents after commencement may be made through NYSCEF upon the Account Holder or parties represented by the Account Holder.
- b. If I am not an attorney and am representing myself, I understand the NYSCEF Resource Center must first verify with the court that I am a party to the action before an ID will be issued.

All pages of this signed application must be returned to the E-filing Resource Center at nyscef@nycourts.gov or (212) 401-9146 (fax) in order to complete the registration process.

3. I am providing the following information as required to register as a NYSCEF Account Holder and to obtain my User ID and Password.

First Name Shannon MI: Last Name: Lunney

Firm Name (if applicable): Pistilli Realty Group

Primary Email Address: shannon@pistilli.com

4. I understand and agree to the following:

- a. I will adhere to the rules governing Electronic Filing in the Uniform Rules for New York State Trial Courts and any protocols issued by participating courts.

Non-Attorneys Representing Themselves (Unrepresented Litigants)
or Attorneys Admitted Pro Hac Vice

I understand that each use of my Account for filing documents with NYSCEF constitutes my signature on the document being submitted for meeting the requirements of Part 130 of the Rules of the Chief Administrator and all rules governing NYSCEF.

Filing Agents

I will file documents only on behalf of attorneys who have authorized me to file the documents pursuant to a Statement of Authorization form as permitted in the e-filing rules.

- b. I understand that providing any false information on this form may result in a revocation of my Account Holder status.
- c. I will protect and secure the confidentiality of my password. If I have reason to believe that my password has been compromised, I will notify the NYSCEF Resource Center immediately by e-mail at efile@nycourts.gov. If I am an attorney, I will also inform the court and the Resource Center immediately of any change in my employment affiliation.
- d. If I need to modify my Primary E-Mail Address, I shall immediately email the Resource Center a completed Change of Primary email address form to nyscef@nycourts.gov.

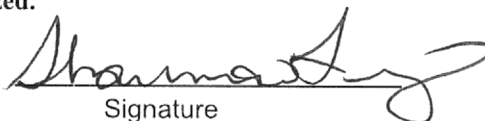
All pages of this signed application must be returned to the E-filing Resource Center at nyscef@nycourts.gov or (212) 401-9146 (fax) in order to complete the registration process.

I acknowledge that I have read, understand and agree to the terms as stated on this registration form and have provided accurate information: (Please print name, sign and date)

Note: Non-attorney applicants must have signature notarized.*

Name: Shannon Lunney

Print


Signature

Date: 01/25/2023

Address (Street, City, State, Zip Code): 35-01 30th Avenue, Suite 300, Astoria, NY 11103

Telephone Number: 718-204-1600

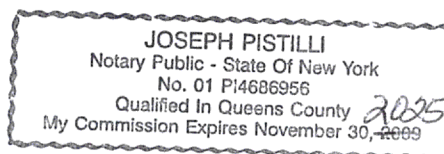
Fax Number (optional): _____

*(For non-attorneys only)

Sworn to before me this

25th day of January, 2023


Notary Public



Please return completed registration form (3 pages) to:

E-Mail: nyscef@nycourts.gov (Preferred Method of Submission)

Fax: (212) 401-9146